

IN AND BEFORE THE OKLAHOMA BOARD  
OF MEDICAL LICENSURE AND SUPERVISION  
STATE OF OKLAHOMA

STATE OF OKLAHOMA, *ex rel.* )  
OKLAHOMA STATE BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
MARIA M. KANE, M.D. )  
LICENSE NO. MD 11134, )  
 )  
Defendant. )

**FILED**  
MAR 28 2017  
OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 14-01-4902

**ORDER GRANTING MOTION TO ENFORCE TERMS OF PROBATION**


This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision ("Board") on January 12, 2017, at the office of the Board, 101 N.E. 51<sup>st</sup> Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and the rules of the Board. The Plaintiff's Motion to Enforce was filed on January 4, 2017.

Jason T. Seay, Assistant Attorney General, appeared for the Plaintiff and Defendant appeared in person and through counsel, Danny Shadid.

The Board having considered stipulations of counsel, testimony and evidence presented, hereby **GRANTS** the Motion to Enforce by extending, until May 4, 2017, the probation pursuant to the Order Accepting Voluntary Submittal to Jurisdiction filed January 11, 2016. Defendant shall appear before the Board for review on May 4, 2017 and provide satisfactory evidence of completion of required continuing medical education courses.

**This Order is subject to review and approval by the Oklahoma Attorney General, and this Order shall become final upon completion of the review by the Oklahoma Attorney General unless disapproved, in which case this Order shall be null and void.**

Dated this 28<sup>th</sup> day of March, 2017.

  
\_\_\_\_\_  
Billy H. Stout, M.D., Board Secretary  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

**Certificate of Service**

This is to certify that on the 28<sup>th</sup> day of March, 2017, a true and correct copy of the foregoing Order was transmitted by U.S. first class mail, postage prepaid, to the following:

Danny K. Shadid  
Riggs Abney Neal Turpen Orbison & Lewis Law Firm  
528 N.W. 12<sup>th</sup> Street  
Oklahoma City, Oklahoma 73103  
Telephone: (405) 843-9909  
Facsimile: (405) 842-2913  
dshadid@riggsabney.com  
***Counsel for Defendant,  
Maria M. Kane, M.D.***

  
\_\_\_\_\_  
Nancy Thiemann, Legal Assistant



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

**FILED**

**MAR 28 2017**

**OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION**

**ATTORNEY GENERAL OPINION  
2017-202A**

Billy Stout, M.D., Board Secretary  
State Board of Medical Licensure and Supervision  
101 N.E. 51<sup>st</sup> Street  
Oklahoma City, OK 73105

March 27, 2017

Dear Secretary Stout:

This office has received your request for a written Attorney General Opinion regarding agency action that the State Board of Medical Licensure and Supervision intends to take pursuant to a Voluntary Submittal of Jurisdiction with respect to Medical Doctor Licensee 11134. The proposed action is to enforce the terms of the consent agreement by extending probation until such time as the licensee completes, and obtains satisfactory verification of completion of, the required continuing medical education ("CME") courses. In 2016, the licensee entered into a voluntary submittal of jurisdiction setting probation terms which included imposing a \$9,000 fine and attending two CME courses, one in proper charting for psychiatrists and one for psychiatric care of patients who are also undergoing pain management care, to be completed within nine months. The terms of probation also required the licensee to inform employers as well as other states' licensing boards of the discipline; notify the Board of any change in address; personally appear before the Board as requested; execute releases of medical and psychiatric records as necessary; seek prior approval from the Board for any change in employment; obtain an approved practice monitor and mentor; file practice reports; and make payments to the Board. The licensee failed to submit certificates of completion for the two required CME courses in violation of the order.

The Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, 59 O.S.2011 & Supp.2016, §§ 480-518.1, authorizes the Board to discipline licensees for willful violations of its orders. 59 O.S.2011, § 513(B). Further, the Board is authorized to take appropriate disciplinary actions which may include "[s]atisfactory completion of education...programs." 59 O.S. 2011, §§ 506(A), 509.1(A)(8); OAC 435:5-1-3. The action enforces the requirement that licensees comply with the Board's orders. The Board may reasonably believe that extending probation and requiring the licensee to produce evidence of completion of continuing education is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the State Board of Medical Licensure and Supervision has adequate support for the conclusion that this action advances the State of Oklahoma's policy upholding minimum standards of professionalism among physicians.



MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA



SHELLY PERKINS  
ASSISTANT ATTORNEY GENERAL